

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

United States District Court
Southern District of Texas
FILED

OCT 20 2006

Michael N. Milby
Clerk of Court

LUIS ALEJANDRO GARZA

VS.

THE UNITED STATES OF
AMERICA

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CIVIL ACTION NO. B-02-154
FEDERAL TORT CLAIMS ACT

**PLAINTIFF'S REPORT TO THE COURT PURSUANT
TO OCTOBER 20, 2006 ORAL ORDER**

TO THE HONORABLE JUDGE OF SAID COURT:

On October 20, 2006, this Honorable Court directed the Plaintiff to provide the court with the names of the former inmate witnesses, and the names and locations of the probation office to which they are to report, and to provide the court with the location of the inmate witnesses to be produced for trial.

1. Plaintiff's counsel left the courtroom after the hearing on October 20, 2006, unsure as to what exactly the court had ordered him to provide, and after discussing same with defense counsel, the Honorable Ms. Nancy Lynn Masso, thought that the information being provided by Ms. Masso to the court, in her report, fully complied with the court's order. At approximately 2:30 p.m., Ms. Masso emailed to Plaintiff's counsel the text of the docket entry for the hearing, which indicated that the Plaintiff was ordered to submit to the court the information referenced above. For that reason this information is being provided tardy.

2. The defendant, at page 3 of its report to the court, sets forth the seven inmates who are confined in federal penitentiaries whom Plaintiff seeks to have testify on his behalf.

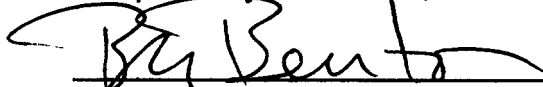
3. In connection with the names of the former inmates and the location of the probation offices where they are to report under the terms of their supervised release, the following is the information Plaintiff's counsel was able to obtain from documents provided by Defendant:

- a. Myron Coleman #76988-079
Presently on supervised release. Sentenced by Judge Head.
Probable probation office, Corpus Christi, Texas.
- b. Damione Brock #10471-035
Presently on supervised release. Sentenced by Judge Stagg.
Probable probation office, Shreveport, LA.
- c. L. D. Richardson #23687-077
Per oral communication from Defendant's counsel, Mr.
Richardson was released from prison. Sentencing Judge, and
therefore probation office location, are unknown.
- d. James Kevin Hodges #09177-035
No longer on supervised release. Sentenced by Judge Melancon.
Probable probation office, Lafayette, LA.
- e. Corey Williams #76893-079
No longer on supervised release. Sentenced by Judge Rainey.
Probable probation office, Houston, Texas.
- f. Robert Alford #02020-081
No longer on supervised release. Sentenced by Judge Hughes.
Probable probation office, Houston, Texas.

- g. Jose Luis Jaime #89539-079
No longer on supervised release. Sentenced by Judge Head.
Probable probation office, Corpus Christi, Texas.
- h. Jesus Martinez-Orosco #71774-079
No longer on supervised release. Sentenced by Judge Hinojosa.
Probable probation office, McAllen, Texas.
- i. Felipe Castro-Ontivero #25117-177
No longer on supervised release. Sentenced by Judge Robinson.
Probable probation office, Amarillo, Texas.
- j. Javier Tijerina #76844-079
No longer on supervised release. Sentenced by Judge Head.
Probable probation office, Corpus Christi, Texas.
- k. Jose Luis Guzman-Posos #86842-079
No longer on supervised release. Deported to Mexico.

Should the court require clarification or further information, the Plaintiff will endeavor to produce it promptly.

Respectfully submitted,



Barry R. Benton
284 Ebony Avenue
Brownsville, Texas 78520
Telephone : 956-546-9900
Facsimile : 956-546-9997
State Bar No. 02176500
Federal I.D. No. 3968

**ATTORNEY FOR PLAINTIFF
LUIS ALEJANDRO GARZA**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the above and foregoing PLAINTIFF'S REPORT TO THE COURT PURSUANT TO ITS OCTOBER 20, 2006 ORAL ORDER has been hand-delivered to attorney of record, to wit:

Via Hand Delivery

Ms. Nancy L. Masso
Assistant United States Attorney
600 E. Harrison Street, #201
Brownsville, Texas 78520

on this 20th day of October, 2006.



BARRY R. BENTON